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10/685,290	10/14/2003	Jennifer Victoria Davies	SACO121711	9822

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EXAMINER
RANGREJ, SHEETAL

ART UNIT	PAPER NUMBER
3626	

MAIL DATE	DELIVERY MODE
12/31/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
	10/685,290	DAVIES ET AL.
Office Action Summary	Examiner	Art Unit	
	Sheetal R. Rangrej	3626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *28 September 2007*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-27* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-27* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *28 September 2007* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

Notice to Applicant

- This communication is in response to amendment filed on 09/28//2007.

Prosecution History Summary

- Claim 15 is amended.

- Claims 1-27 are pending.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. <u>Claims 1-2 and 4-8 are rejected under 35 U.S.C. 102(e) as being anticipated by Hanby et</u>

<u>al. (U.S. Patent 7,143,051)</u>.

3. As per claim 1, Hanby teaches a method for online processing of a life insurance

application, comprising:

      a.   Receiving information via an electronic data communications link that identifies

an individual to be insured and describes the insurability of the individual (**Hanby:**

column 3, lines 62-63; column 4, lines 65-67).

b.   Generating an illustration that provides details of a proposed life insurance policy

that may be issued by an insurance provider in accordance with parameters of the life

insurance application (**Hanby: column 4, lines 1-2**).

c.   Obtaining a commitment from the insurance policy applicant for purchase of a life

insurance policy in accordance with parameters of the life insurance application (**Hanby:**

column 4, lines 1-3; col. 4, 3-18; figure 6A, 222).

d.   Receiving a certification via an electronic data communications link that confirms

whether the generated illustration was delivered to the insurance policy applicant at the

time of commitment for purchase of the insurance policy (**Hanby: col. 6, 59-67**).

4.   As per claim 2, the method of claim 1 is as described above. Hanby further teaches in

which the certification is received at the time the commitment for purchase of the life insurance

policy is obtained (**Hanby: column 7, lines 29-31**). In light of the specification, the examiner

interprets that certification is received when the approval letter is done.

5.   As per claim 4, the method of claim 1 is as described above. Hanby further teaches in

which the certification is received from the insurance policy applicant and confirms receipt of the

illustration at the time of commitment for purchase of the insurance policy (**Hanby: column 9,**

lines 8-9). In light of the specification, the examiner interprets that the transmission of

documents is done instantaneously where if it were not received, the person generating the

proposal would be notified.

6.   As per claim 5, the method of claim 1 is as described above. Hanby further teaches in

which the certification is received from an agent of the insurance provider and confirms that the

illustration was provided to the insurance policy applicant at the time of the commitment for

purchase of the insurance policy (**Hanby: column 9, lines 8-9**).

7.   As per claim 6, the method of claim 5 is as described above. Hanby further teaches in

which the agent's certification confirms that the illustration was provided electronically to the

insurance policy applicant (**Hanby: column 6, lines 59-62**).

8.   As per claim 7, the method of claim 5 is as described above. Hanby further teaches in .

which the agent's certification confirms that the illustration was provided through postal or

courier deliver (**Hanby: column 6, lines 59-62**).

9.   As per claim 8, the method of claim 1 is as described above. Hanby further teaches in

which the certification is received from the insurance policy applicant and confirms that no

illustration was delivered at the time of commitment for purchase and requests that the

illustration be delivered at the time the insurance policy is delivered (**Hanby: column 9, lines

64-67**).

Claim Rejections - 35 USC § 103

10.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

11.   Claims 3 and 9-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hanby

et al. (U.S. Patent 7,143,051) in view of Hele et al. (U.S. Publication No. 2002/0116231).

12.   As per claim 3, the method of claim 1 is as described above. Hanby does not teach in

which the commitment for purchase of the life insurance policy is obtained <u>by receiving</u> an

authorization for electronic funds transfer <u>for payment of a premium of insurance policy</u>.

Hele teaches which the commitment for purchase of the life insurance policy is obtained

<u>by receiving</u> an authorization for electronic funds transfer <u>for payment of a premium of insurance</u>

<u>policy</u> **(Hele: para. 12; para. 16)**.

One of ordinary skill in the art at the time the invention was made would have found it

obvious to combine the teachings of Hanby and Hele with the motivation that requests for

insurance quotes are typically processed on paper through a sales office and then sent to a

corporate office resulting in time delays, multiple requests for information, and the increased risk

of error in collecting or processing information **(Hanby: col. 1, 30-35)**.

13.   As per claim 9, the method of claim 1 is as described. Hanby does not teach further

teaches issuing via an electronic data communications link a temporary insurance certificate that

is personalized for the individual to be insured according to the life insurance policy,

accompanied by a temporary life insurance agreement specifying terms of legally binding

temporary life insurance coverage that is extended to the individual pending issuance of the

purchased insurance policy.

Hele teaches further teaches issuing via an electronic data communications link a

temporary insurance certificate that is personalized for the individual to be insured according to

the life insurance policy, accompanied by a temporary life insurance agreement specifying terms

of legally binding temporary life insurance coverage that is extended to the individual pending

issuance of the purchased insurance policy **(Hele: para. 14)**.

One of ordinary skill in the art at the time the invention was made would have found it

obvious to combine the teachings of Hanby and Hele with the motivation that the invention

streamlines the process of comparing multiple carriers by recommending an insurance plan

tailored to an individual's circumstances and lifestyle, therefore insurance products can be

modified if the plan does not best suit the individual's needs **(Hele: para. 0043)**.

14.   As per claim 10, Hanby teaches a method for online processing of a life insurance

application, comprising:

      a.   Receiving information via an electronic data communications link that identifies

      an individual to be insured and describes the insurability of the individual **(Hanby:**

      column 3, lines 62-63; column 4, lines 65-67).

      c.   Obtaining a commitment for purchase of a life insurance policy to be issued by an

      insurance provider in accordance with parameters of the life insurance application

      (Hanby: column 4, lines 1-3).

Hanby does not teach (b) Receiving information via an electronic data communications

link from a third party that confirms the identification of the individual to be insured and (d)

issuing via an electronic data communications link a temporary   insurance certificate that is

personalized for the individual according to the life insurance policy, accompanied by a

temporary life insurance agreement specifying terms of legally binding temporary life insurance

that is extended to the individual pending issuance of the purchased insurance policy.

Hele teaches (b) Receiving information via an electronic data communications link from

a third party that confirms the identification of the individual to be insured **(Hele: para. 12 and**

15) and (d) issuing via an electronic data communications link a temporary   insurance certificate

that is personalized for the individual according to the life insurance policy, accompanied by a

temporary life insurance agreement specifying terms of legally binding temporary life insurance

that is extended to the individual pending issuance of the purchased insurance policy **(Hele:**

para. 14; 152).

Motivation to combine the teachings is the same as that of claim 9.

15.   As per claim 11, the method of claim 10 is as described above. Hanby does not teach in

which the third party is a trusted person having a capacity to confirm the identification of the

individual.

Hele teaches in which the third party is a trusted person having a capacity to confirm the

identification of the individual **(Hele: para. 15; 36).**

Motivation to combine the teachings is the same as that of claim 9.

16.   As per claim 12, the method of claim 11 is as described above. Hanby does not teach in

which the trusted person is an agent of the insurance provider.

Hele teaches in which the trusted person is an agent of the insurance provider **(Hele:**

para. 36).

Motivation to combine the teachings is the same as that of claim 9.

17.   As per claim 13, the method of claim 10 is as described above. Hanby does not teach in

which the third party confirms the identification of the individual by accessing an electronic

database and verifies the identification of the individual based on information in the electronic

database.

Hele teaches in which the third party confirms the identification of the individual by accessing an electronic database and verifies the identification of the individual based on information in the electronic database (**Hele: para. 35-37**).

Motivation to combine the teachings is the same as that of claim 9.

18.   As per claim 14, the method of claim 10 is as described above. Hanby does not teach in which the personalized temporary insurance certificate includes information identifying the individual, information identifying the insurance policy to be issued to the individual, and the amount of insurance coverage provided by the temporary life insurance agreement.

Hele teaches in which the personalized temporary insurance certificate includes information identifying the individual, information identifying the insurance policy to be issued to the individual, and the amount of insurance coverage provided by the temporary life insurance agreement (**Hele: para. 152**).

Motivation to combine the teachings is the same as that of claim 9.

19.   As per claim 15, Hanby teaches a method for online processing of a life insurance application, comprising:

a.   Receiving information via an electronic data communications link that identifies the individual to be insured and describes the insurability of the individual (**Hanby: column 3, lines 62-63; column 4, lines 65-67**);

b.   Obtaining a commitment from the insurance policy applicant for purchase of a life insurance policy to be issued by an insurance provider in accordance with parameters of the life insurance application (**Hanby: column 4, lines 1-3**).

Hanby does not teach (c) receiving an authorization via an electronic data communications link that authorizes immediate collection of medical history information from one or more third parties concerning the individual to be insured for purposes of issuing the life insurance policy, in which the authorization is received in connection with obtaining the commitment for purchase of the life insurance policy.

Hele teaches (c) receiving an authorization via an electronic data communications link that authorizes immediate collection of medical history information from one or more third parties concerning the individual to be insured for purposes of issuing the life insurance policy, in which the authorization is received in connection with obtaining the commitment for purchase of the life insurance policy and if the commitment for purchase of the life insurance policy is not obtained, the authorization for collection of medical history information is canceled **(Hele: para. 62-63; 137)**.

One of ordinary skill in the art at the time the invention was made would have found it obvious to combine the teachings of Hanby and Hele with the motivation that an individual must consider requirements such as lifestyle, needs, and future circumstances when selecting insurance coverage. In addition, he must educate himself on available products, and survey the vast market of insurance carriers in order to find the best-valued insurance product. **(Hele: para. 42)**

20.   As per claim 16, the method of claim 15 is as described above. Hanby does not teach the authorization is received as a result of an agent of the insurance provider receiving authorization from the life insurance applicant and submitting the life insurance application to the insurance provider via an electronic data communications link.

Hele teaches the authorization is received as a result of an agent of the insurance provider

receiving authorization from the life insurance applicant (**Hele: para. 67**) and submitting the life

insurance application to the insurance provider via an electronic data communications link

(**Hele: para. 68-69**).

The motivation to combine the teachings is the same as claim 15.

21.   As per claim 17, the method of claim 15 is as described. Hanby does not teach the

authorization is received as a result of the life insurance applicant initiating an electronic

submission that acknowledges the authorization.

Hele teaches the authorization is received as a result of the life insurance applicant

initiating an electronic submission that acknowledges the authorization (**Hele: para. 67; i.e. web

server**).

The motivation to combine the teachings is the same as claim 15.

22.   As per claim 18, the method of claim 15 is as described above. Hanby does not teach the

authorization is received prior to obtaining the commitment for purchase of the life insurance

policy.

Hele teaches the authorization is received prior to obtaining the commitment for purchase

of the life insurance policy (**Hele: para. 67-68**).

The motivation to combine the teachings is the same as claim 15.

23.   As per claim 19, the method of claim 15 is as described. Hanby does not teach in which

the authorization is received after obtaining the commitment for purchase of the life insurance

policy.

Hele teaches in which the authorization is received after obtaining the commitment for

purchase of the life insurance policy **(Hele: para. 65-67)**.

The motivation to combine the teachings is the same as claim 15.

24.   As per claim 20, the method of claim 15 is as described. Please see remarks of claim 9.

25.   As per claim 21, Hanby teaches a computer system for online processing of a life

insurance application, comprising an application processing server in a distributed computing

environment in electronic communication with a life insurance applicant, wherein the application

processing server is configured with computer-implemented instructions to receive a life

insurance application via an electronic data communications link **(Hanby: column 3, lines 60-**

67); In light of the specification, the examiner interprets the "QE module" to be the same as an

application processing server), the life insurance application identifying an individual to be

insured and describing the insurability of the individual **(Hanby: column 3, lines 62-63)**, and

further to obtain a commitment for purchase of a life insurance policy to be issued by an

insurance provider in accordance with parameters of the life insurance application **(Hanby:**

column 4, lines 1-3; col. 4, 3-18; figure 6A, 222).

Hanby does not teach the application processing server issuing via the electronic data

communications link a temporary insurance certificate that is personalized for the individual

according to the life insurance policy and accompanied by a temporary life insurance agreement

specifying terms of legally binding temporary life insurance that is extended to the individual

pending issuance of the purchased insurance policy.

Hele teaches the application processing server issuing via the electronic data

communications link **(Hele: para. 58)** a temporary insurance certificate that is personalized for

the individual according to the life insurance policy and accompanied by a temporary life

insurance agreement specifying terms of legally binding temporary life insurance that is

extended to the individual pending issuance of the purchased insurance policy **(Hele: para. 14;**

76; 152).

        Motivation to combine the teachings is the same as that of claim 9.

26.   As per claim 22, the system of claim 21 is as described above. Hanby further teaches the

application processing server is further configured to receive information via an electronic data

communications link from an agent of the insurance provider confirming that the identification

of the individual to be insured has been verified **(Hanby: column 5, lines 1-14)**.

27.   As per claim 23, the system of claim 21 is as described above. Hanby further teaches the

application processing server is further configured to automatically confirm identification

information of the individual to be insured by requesting verification from a third party based on

an external electronic database maintained by the third party **(Hanby: column 5, lines 1-14)**. In

light of the specification, the examiner interprets the validation process to be done by a third

party due to the information being accessed to a database that is not local but external from the

client's network.

28.   As per claim 24, the system of claim 21 is as described above. Hanby further teaches the

application processing server is further configured to generate an illustration providing details of

a proposed life insurance policy that may be issued by the insurance provider in accordance with

parameters of the life insurance application **(Hanby: column 4, lines 1-2; column 9, lines 4-5)**,

and receive a certification via an electronic data communications link confirming whether the

generated illustration was delivered to the insurance policy applicant at the time of commitment

for purchase of the insurance policy (**Hanby: column 9, lines 5-10**). In light of the

specification, the examiner interprets that the documents are transferred instantaneously,

therefore if it was not delivered, the client would send a message to the insurance provider

stating it did not receive the documents.

29.   As per claim 25, the system of claim 21 is as described above. Hanby further teaches the

personalized temporary insurance certificate includes information identifying the individual to be

insured (**Hanby: claim 1C**), information identifying the insurance policy to be issued to the

individual (**Hanby: column 6, lines 12-22**), and the amount of insurance coverage provided by

the temporary life insurance agreement (**Hanby: column 5, lines 40-65**).

30.   As per claim 26, the system of claim 21 is as described above. Hanby further teaches the

application processing server is further configured to receive an authorization via an electronic

data communications link (**Hanby: column 7, lines 53-56; column 8, lines 5-11**) that authorizes

the insurance provider to immediately begin collecting medical history information from one or

more third parties concerning the individual to be insured (**Hanby: column 4, lines 65-67**) for

purposes of issuing the life insurance policy.

31.   As per claim 27, the system of claim 26 is as described above. Hanby further teaches the

application processing server receives the authorization (**Hanby: column 7, lines 53-56; column

8, lines 5-11**) in connection with obtaining the commitment for purchase of the life insurance

policy (**Hanby: column 4, lines 1-3**). In light of the specification, the examiner interprets that in

collecting the commitment for purchase, the client is aware that it is authorizing the insurance

provider.

Response to Arguments

32.   Applicant's arguments filed for claims 1-14 and 20-27 have been fully considered but

they are not persuasive.

33.   As per claim 1, Applicant argues that Hanby does not teach the element of "receiving a

certification via an electronic data communications link that confirms whether the generated

illustration was delivered to the insurance policy applicant at the time of commitment for

purchase of the insurance policy." Examiner disagrees. Hanby teaches a generation of a

proposal being transmitted by mail, fax, e-mail, or other medium. According to the applicant's

specification, page 16, lines 10-15, that an option to certify an illustration is an agent

certification, in which the agent and the customer are communicating via e-mail or instant

messaging in which a copy of the illustration is transmitted to the customer.

34.   As per claim 10, Applicant argues that Hele does not teach the process of "issuing via an

electronic data communications link a temporary insurance certificate that is personalized for the

individual according to the life insurance policy, accompanied by a temporary life insurance

agreement specifying terms of legally binding temporary life insurance that is extended to the

individual pending issuance of the purchased insurance policy." Examiner disagrees. Hele

teaches obtaining a temporary coverage (i.e. temporary insurance certificate) by using the need-

based assessment along with the underwriting process of Hele to provide a user if temporary

coverage is needed; and therefore, "issuing via an electronic data communications link a

temporary insurance certificate that is personalized for the individual according to the life

insurance policy, accompanied by a temporary life insurance agreement specifying terms of

legally binding temporary life insurance that is extended to the individual pending issuance of

the purchased insurance policy." The same argument applies to claim 21 regarding "the

application processing server issuing via the electronic data communications link a temporary

insurance certificate that is personalized for the individual according to the life insurance policy

and accompanied by a temporary life insurance agreement specifying terms of legally binding

temporary life insurance that is extended to the individual pending issuance of the purchased

insurance policy."

35.   Applicant's arguments, see p. 13-14, filed 09/28/2007, with respect to the rejection(s) of

claim(s) 11-13 have been fully considered and are persuasive. Therefore, the rejection has been

withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view

of Hele.

36.   Examiner notes that for claim 14, the citation was inadvertently omitted in the response

to arguments. Applicant's arguments, see p. 14, filed 09/28/2007, with respect to the rejection(s)

of claim(s) 14 have been fully considered and are persuasive. Therefore, the rejection has been

withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view

of Hele.

37.   Applicant's arguments with respect to claims 15-19 have been considered but are moot in

view of the new ground(s) of rejection.

38.   As per claim 15, Applicant argues that Hele does not teach "receiving an authorization

via an electronic data communications link that authorizes immediate collection of medical

history information from one or more third parties concerning the individual to be insured for

purposes of issuing the life insurance policy, in which the authorization is received in connection

with obtaining the commitment for purchase of the life insurance policy <u>and if the commitment</u>

<u>for purchase of the life insurance policy is not obtained, the authorization for collection of</u>

<u>medical history information is canceled</u>." Examiner disagrees. Hele teaches the missing element

that applicant states as noted above in the rejection. In light of the specification, the examiner

interprets that the user has the option of not providing an authorization, hence not committing to

purchasing a policy, therefore, no collection of medical history information occurs, since no

commitment for purchase is obtained.

Response to Amendment

In response, all of the limitations which Applicant disputes as missing in the applied references,

including the features newly added in the 09/28/2007 amendment, have been fully addressed by

the Examiner as either being fully disclosed or obvious in view of the collective teachings of

Hanby and Hele, based on the logic and sound scientific reasoning of one ordinarily skilled in

the art at the time of the invention, as detailed in the remarks and explanations given in the

preceding sections of the present Office Action and in the prior Office Action (mailed:

12/11/2006; 06/29/2007), and incorporated herein.

Conclusion

39.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

        -Flagg (U.S. Patent No. 6,456,979) discloses a method of evaluating a permanent life

        insurance policy.

40.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Sheetal R. Rangrej whose telephone number is 571-270-1368.

The examiner can normally be reached on M-F 8:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Joseph Thomas can be reached on 571-272-6776. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

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information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SRR

SRR 12/15/07

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